

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

AMY FAZENBAKER, *et al.*,

Plaintiffs,

v.

COMMUNITY HEALTH CARE,  
INC.,

Defendant.

Case No. 24-cv-11170 -ESK-SAK

**ORDER**

**THIS MATTER** having come before the Court on motions to remand by plaintiffs (ECF No. 10) and the United States of America (ECF No. 11) (collectively, Motions); and defendant having opposed the Motions (ECF No. 16) to which plaintiffs and the United States of America filed replies (ECF Nos. 18, 19); and the Court having held a hearing on the Motions on May 9, 2025 (Hearing); and defendant having filed an application for a stay of an order of remand (Application) (ECF No. 26); and plaintiffs having filed a response to the Application (ECF No. 27); and the United States of America having advised that it takes no position as to the Application (ECF No. 28); and the Court having determined that defendant does not have a likelihood of success on the merits on a potential appeal<sup>1</sup>; and for the reasons stated on the record at the Hearing,

**IT IS** on this **19th** day of **May 2025** **ORDERED** that:

1. The Motions are GRANTED. This matter is remanded to the Superior Court of New Jersey, Cumberland County.
2. Defendant's Application is DENIED.

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<sup>1</sup> The Court is persuaded by the Third Circuit's decision in *Doe v. Centerville Clinics*, 2024 WL 3666164 (3d Cir. Aug. 6, 2024). And although the decision is unpublished and not precedential, the Third Circuit had an opportunity to revisit its decision on the defendant's motion for *en banc* review, which the Court declined.

3. The Clerk of the Court is directed to terminate the Motions at ECF Nos. 10 and 11.

/s/ Edward S. Kiel  
**EDWARD S. KIEL**  
**UNITED STATES DISTRICT JUDGE**